

14230 U.S. PTO
011604

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Attorney Docket No. 1798.50US05

CONTINUING APPLICATION TRANSMITTAL

17548 U.S. PTO
10/760040
011604

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a

☒ Continuation ☐ Divisional
application, under 37 C.F.R. § 1.53(b), of co-pending Application No. 10/078,735, filed February 19, 2002, entitled "METHOD AND APPARATUS FOR DELIVERING A BIPHASIC DEFIBRILLATION PULSE WITH VARIABLE ENERGY," which is a continuation application of co-pending non-provisional Application No. 09/678,820, filed October 4, 2000, entitled METHOD AND APPARATUS FOR DELIVERING A BIPHASIC DEFIBRILLATION PULSE WITH VARIABLE ENERGY, which is a continuation-in-part of Application No. 09/383,561, filed August 26, 1999, entitled METHOD AND APPARATUS FOR DETERMINING THE SECOND PHASE OF EXTERNAL DEFIBRILLATOR DEVICES, which is a continuation-in-part application of issued U.S. Patent No. 5,968,080, which is based on provisional patent Application No. 60/021,161, filed July 1, 1996 entitled DYNAMIC SECOND PHASE (ϕ_2) WITH SELF-CORRECTING CHARGE BURPING FOR EXTERNAL DEFIBRILLATOR DEVICES for: METHOD AND APPARATUS FOR DELIVERING A BIPHASIC DEFIBRILLATION PULSE WITH VARIABLE ENERGY by: James E. Brewer, Gary B. Stendahl, Kenneth F. Olson. The entire disclosures of the prior applications are considered as being part of the disclosure of the accompanying application and are hereby incorporated by reference therein.

Enclosed are:

- ☒ Specification and Abstract - thirty-seven (37) pages
☒ Drawings - seven (7) sheets (Figs. 1-8)
☒ Combined Declaration and Power of Attorney
☐ Newly executed
or
☒ Copy from prior application

The filing fee has been calculated as shown below:					
	No. Filed	No. Extra	Small Entity Rate	OR	Large Entity Rate
Basic Fee			\$ 385	OR	\$ 770
Total Claims	1 - 20	= 0	x 9 = \$*	OR	x 18 = \$*
Independent Claims	1 - 3	= 0	x 43 = \$*	OR	x 86 = \$*
Presence of Multiple Dependent Claim			+ 145	OR	+ 290
		TOTAL	\$ 385.00	TOTAL	\$
*If the difference is less than zero, enter "0"					

1. ☒ A check in the amount of \$385.00 is enclosed. The Commissioner is hereby authorized to grant any extensions of time and to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required during the entire pendency of this application to Deposit Account No. 16-0631.
2. ☐ Amend the specification by inserting before the first line the sentence: --This is a ☐ Continuation ☐ Division of Application No. _____ filed _____, which in turn is a _____.--
3. ☐ Priority of foreign application(s) No. _____ filed _____ is claimed under 35 U.S.C. § 119. The certified copy was filed in prior Application No. _____ on _____.
4. ☒ The prior application is assigned of record to Cardiac Science Inc. recorded at Reel 013280, Frame 0068.
5. ☐ An Information Disclosure Statement is enclosed.
6. ☒ Applicants are entitled to small entity status in accordance with 37 CFR 1.27.
7. ☐ CD-ROM or CD-R in duplicate, and Compact Disc Transmittal are enclosed.
8. ☐ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) (nonpublication).
9. ☒ Address all future communications to:

Kimberly K. Baxter
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Respectfully submitted,



Kimberly K. Baxter
Registration No. 40,504

CERTIFICATE OF EXPRESS MAIL

"Express Mail" mailing label number EV320341191US. Date of Deposit: January 16, 2004. I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jeanne Truman
Name of Person Making Deposit

Jeanne Truman
Signature